DETAILED ACTION

1. This action is in response to communications filed February 06, 2009.

Response to Arguments

2. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Status of Claims

3. Claims 1-25 are pending, of which claims 1, 13 and 25 are in independent form. Claims 1-25 are rejected under 35 U.S.C. 103 (a).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima et al. (US 2002/0165825 A1) in view of Nakaki et al. (US 2002/0122076 A1).

6. **Regarding claim 1**, Matsushima teaches a data processing apparatus (license management apparatus 1) for reading from a recording medium (SD memory card 2) a content (content) which is stored in a specified recording area of the recording medium (SD memory card 2) and playing back the read content [0048]), the recording medium (SD memory card 2) storing according to a specified format contents and management information (management information) of the contents, the data processing apparatus (license management apparatus 1) (i.e., see FIG.1, [0041] and [0048]).

Matsushima teaches a content processor that reads management information from the recording medium, and reads the content according to the management information from the recording medium to process the read content (i.e., the apparatus 1 reads management information from the memory card 2, and reads the content according to the right management information form the memory card 2 to process the read content; [0041]).

Matsushima teaches a link information setter (i.e., as shown in FIG. 13 there is a link between the track and title; [0105]).

Matsushima teaches a management information storage that stores the management information which is read from the recording medium, using an identification number specific to the recording medium, so that the management information can be managed (i.e., the migration procedure is retrieving the audio object from the recording medium, generating right management information about the audio object, and writing the audio object and the right management information in correspondence into the storage unit. The SD memory card 2 is a recording medium

into which a unique identifier (hereinafter "media ID") for identifying the individual recording medium is written, and is composed of a protected area which can be accessed only by devices in the system which are accepted as being authentic (the license management apparatus 1, and the PD 3), and a user data area which can be accessed not only by authentic devices, but also by devices that are not authentic; [0009] and [0042]).

However, Matsushima does not explicitly disclose a searcher that, when the content processor reads a content, searches, for the content, a specified search range, if the content to be read is managed by the management information but not present in the specified recording area.

Meanwhile, Nakaki teaches information processing apparatus and method, and program storing medium, and particularly relates to an information processing apparatus and method, and program storing medium; [0002]. This is similar to Matsushima teaching because of a recording medium, a license management apparatus, and a recording and playback apparatus; [0001].

Furthermore, Nakaki teaches a searcher that, when the content processor reads a content, searches, for the content, a specified search range, if the content to be read is managed by the management information but not present in the specified recording area (i.e., FIG. 13 shows the relationship between a shortcut on the Desktop and the application program file associated with it. When a shortcut icon file containing shortcut control information is created in a designated Desktop specific folder, the corresponding shortcut icon is placed on the Desktop by the operating system. A file containing the

execute form of the application program executable by clicking the shortcut icon is linked to the shortcut icon file. Accordingly, for any particular application program, when the program storage location registered in the program startup information and the program storage location registered in the shortcut icon file are searched for and compared with each other, if the shortcut icon associated with the application program is not found when the application program does not satisfy the shortcut deletion condition defined in the program startup information, then it can be determined that the shortcut for that application program has been deleted accidentally by the user. FIG. 12 shows the process for detecting a shortcut accidentally deleted by the user. The shortcut information on the Desktop is acquired via the API (S1201). For every application program whose information is stored in the program startup information storage area 4, the program startup information pertaining to the application program and the shortcut deletion condition are examined to check whether a shortcut supposed to exist does exist on the Desktop (S1202). If the shortcut supposed to exist does not exist on the Desktop, it is determined that the shortcut has been deleted accidentally by the user, and the shortcut creation process shown in FIG. 9 is invoked by acquiring the shortcut creation request parameters from the program startup information (S1203); [0048]-[0049]).

Nakaki teaches wherein when the content is found by the search section, the link information setting section updates the link information for relating the recording area of the found content to the specified recording area so as to enable access to the content with the management information (i.e., the shortcut creation judging process shown in

FIG. 7 is invoked to determine whether it is necessary to create a shortcut to the application program (S602), and further, the program startup information storing process shown in FIG. 8 is invoked to create or update program startup information (S603). If it is determined that the creation of a shortcut is necessary, the shortcut creation process shown in FIG. 9 is invoked (S604). On the other hand, when only the shortcut deletion program is installed, the program startup information storing block of the shortcut deletion program 2 is activated to create or update program startup information; [0042]-[0044]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made, having the teachings of Matsushima and Nakaki before him/her, to modify the apparatus of Matsushima with the teaching of Nakaki for detecting accidentally deleted shortcut. The motivation to combine is apparent in Matsushima reference, because of the correlation between a TKI, an AOB file, and a TKE; (see Matsushima, [0094]). This is a tremendously advantageous to Matsushima because if the user accidentally deletes anyone of the link files, the system can restore the link based on the shortcut; (see Nakaki, [0048]).

7. **Regarding claim 2**, Matsushima teaches the management information includes play list information for specifying playback sequence of contents, and track information including meta information relating to the contents (i.e., AOB and a corresponding piece of playback control information are written into the user data area 6. A title key entry (hereinafter "TKE") corresponding to each AOB is written into the protected area 7…a

content ID which is an identifier for identifying the SDMI protected content which corresponds to the AOB…the corresponding TKE, and the playback control information is called a " track"; [0048]).

8. **Regarding claim 3**, Matsushima teaches a recording area in the recording medium (i.e., FIG. 9 shown the physical layer of the SD memory Card. The specified search range in the SD memory Card is the User Data Area).

9. **Regarding claim 4**, Matsushima teaches a recording area (User Data Area) of a recording medium (SD Memory Card) which is incorporated in the data processing apparatus (license management apparatus 1) (i.e., see FIG. 1 and FIG. 9).

10. **Regarding claim 5**, Matsushima teaches a recording area (User Data Area) of a device (SD Memory Card) which is connected to the data processing apparatus (license management apparatus 1) directly or through a network; (i.e., see FIG. 1 and FIG. 9).

11. **Regarding claim 6**, Matsushima teaches the recording medium (SD Memory Card 2) is a detachable recording medium (i.e., as shown in FIG. 1 SD memory card 2 is detachable).

12. **Regarding claim 7**, Matsushima teaches a data storage (User Data Area) that stores contents which conform to a specified standard format, wherein the content

processor (license management apparatus 1) reads the content from the recording medium (SD memory card 2) or the data storage (User Data Area) according to the management information (right management information) to process the read content, and when the content processor (license management apparatus 1) reads a content, the searcher [0090] searches the recording medium (SD memory card 2) or the data storage (User Data Area) for the content, if the content to be read is managed by the management information (right management information) but not present in the specified recording area (User Data Area) (i.e., see FIG. 1 and 9).

13. **Regarding claim 8**, Matsushima teaches the content is stored by priority in the recording medium (i.e., as shown in FIG. 20 the content is stored by priority in the SD memory card 2).

Matsushima teaches after free area of the recording medium (SD memory card 2) becomes less than a predetermined value, the content is stored in the data storage (User Data Area), and the management information (right management information) for managing the content stored in the recording medium (SD memory card) and the data storage (User Data Area) is stored in the recording medium (SD memory card) (i.e., when the free area of the SD card becomes less than a predetermined value the content will stored in the user data area; see FIG. 1, FIG. 9 and [0123]).

14. **Regarding claim 9**, Matsushima teaches the content processor (license management apparatus 1) reads the content with reference to the management

information (right management information) stored in the management information storage (7) (i.e., the license management apparatus 1 is composed of local storage which can store a plurality of sets of SDMI protected content and right management information (hereinafter "RMI"), and an LCM, and performs check-in and check-out; see FIG. 1, FIG. 4 and [0041]).

Matsushima teaches link information setter sets the link information on the management information storage (21) (i.e., FIG. 4 clearly show a link information setting section sets the link information on the management information storing section).

15. **Regarding claim 10**, Matsushima teaches when the identification number (AOB SA1.KEY) specific to the recording medium (SD memory card) which is stored in the management information storage (right management information) is different from an identification number (AOB 001.SA1) specific to a recording medium (SD memory card) to be loaded into the data processing apparatus (license management apparatus 1), the searcher and link information setter section set the link information (i.e., see FIG. 1, FIG. 4 and FIG. 9).

16. **Regarding claim 11**, Matsushima teaches the recording medium has a copyright protection function (i.e., the recording medium have copyright protection function; [0044]).

17. **Regarding claim 12**, Matsushima teaches the management information manages content ID which is identification information uniquely assigned to each content, and the search section searches for a content to be played back using the content ID (i.e., the TKE includes the encryption key used to encrypt the AOB, a content ID which is an identifier for identifying the SDMI protected content which corresponds to the AOB; [0048]).

18. **Regarding claim 13**, is essentially the same as claim 1 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

19. **Regarding claim 14**, is essentially the same as claim 2 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

20. **Regarding claim 15**, is essentially the same as claim 3 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

21. **Regarding claim 16**, is essentially the same as claim 4 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

22. **Regarding claim 17**, is essentially the same as claim 5 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

23. **Regarding claim 18**, is essentially the same as claim 6 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

24. **Regarding claim 19**, is essentially the same as claim 7 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

25. **Regarding claim 20**, is essentially the same as claim 8 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

26. **Regarding claim 21**, is essentially the same as claim 9 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

27. **Regarding claim 22**, is essentially the same as claim 10 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

28. **Regarding claim 23**, is essentially the same as claim 11 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

29. **Regarding claim 24**, is essentially the same as claim 12 except that it sets forth the claimed invention as a method rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

30. **Regarding claim 25**, is essentially the same as claim 1 except that it sets forth the claimed invention as a computer-readable medium rather than a data processing apparatus and rejected for the same reasons as applied hereinabove.

31. **Regarding claim 26**, (Canceled).

Conclusion

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truong V. Vo whose telephone number is (571) 272-1796. The examiner can normally be reached on Mon.-Thr. 7:30a.m.-5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pierre Vital can be reached on (571) 272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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